IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.R. No.4119 of 2005

Date of Decision: 16.10.2006.

Ravinder Kumar and another

....Petitioner.

Versus

State of Haryana and others.

...Respondents.

**CORAM** : Hon'ble Mr. Justice Vinod K.Sharma.

Present:- Mr.Devinder Punia,Advocate
for the petitioners.

Mr.Jitendra Chauhan, Additional Advocate General,
for the respondents.

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**VINOD K. SHARMA, J.(ORAL)**

The present revision petition has been filed against the order dated 31.8.2004 passed by the Commissioner, Hisar Division, Hisar vide which the appeal filed by the petitioners challenging the order of Sub Divisional Officer(C) exercising the powers of Collector, Ratia dated 3.3.2003 has been dismissed as time barred. A reading of the order of the Appellate Authority i.e. the Commissioner, Hisar Division shows that the same is a non-speaking order as it does not deal with the contentions raised by the petitioner with regard to the appeal being filed within time from the date of knowledge. It seems that the learned Appellate Authority was weighed by the reason that as the petitioner had not appeared before the trial Court, therefore, the delay in filing the appeal could not be condoned. It is settled law that the authorities while passing quasi judicial orders are

required to pass the detailed order meeting with the contentions raised by the parties. The present order being totally a non-speaking order, therefore, cannot be sustained. Accordingly, the present revision petition is allowed. Order of the learned Commissioner is set aside and the case is remanded back to the appellate authority for decision in accordance with law. The parties through their counsel are directed to appear before the Commissioner on 27.11.2006.

**(VINOD K.SHARMA)**
**JUDGE**

Oct 16, 2006.
**meenu2**